



Pathway for Person Referred under the *Mental Health Act 2014* for Examination – Non authorised

Form 1A Referral Order (s. 26)

Referral for examination by a psychiatrist at place
other than authorised hospital
Person cannot be restrained

Form 3A Detention Order (s. 28)

Allows the person to be detained to take to place for
examination
Can be detained for 24 hours
Person cannot be restrained

Form 3B Continuation of Detention Order (s. 28)

Detention can be extended further 24 hours up to
72 hours metro / 144 hours outside metro
Person cannot be restrained

Form 1A Referral Order (s. 58)

Once at place of examination the person may be detained
for 24 hours from time received
Reasonable force may be used to restrain to detain

Form 3B Continuation of Detention Order (s. 59)

Detention can be extended for further 48 hours for
examination if outside metro area
Reasonable force may be used to restrain to detain

Form 4A – Transport Order (s. 29)

Order to transport person to place specified in
the order
**Person may be apprehended and
reasonable force may be used**



Form 1A – Referral Order (MH Act s. 26)

- A Form 1A referral order is an order referring a person for an examination by a psychiatrist.
- **The person cannot be detained or restrained** prior to the person being received at a place other than an authorised hospital for examination by a psychiatrist.
- Once the person is received into a place other than an authorised hospital (e.g. ED), **the person may be detained for up to 24 hours from the time received** (MH Act s. 58); **and reasonable force may be used to detain the person** (MH Act s. 172).

Form 3A - Detention Order (MH Act s. 28)

- A Form 3A detention order enables a person to be detained for up to 24 hours before being taken to a place other than an authorised hospital for examination by a psychiatrist.
- **The person cannot be restrained.**

Form 3B - Continuation of Detention Order (MH Act s. 28)

- A Form 3B continuation of detention order enables a person's detention under a Form 3A to be continued for a further 24 hours up to a maximum of 72 hours if the person is in the metropolitan area or 144 hours if the person is outside the metropolitan area prior to the person being received at a place other than an authorised hospital.
- **The person cannot be restrained.**

Form 3B - Detention for examination at place that is not an authorised hospital outside metro area (MH Act s. 59)

- A person being detained under section 58 at a place other than an authorised hospital outside the metropolitan area may be detained for a further 48 hours on a Form 3B.
- **Reasonable force may be used to detain the person** (MH Act s. 172).

Form 4A – Transport Order (s. 29)

- A Form 4A enables a person, who is referred for examination by a psychiatrist, to be taken to the place specified in the order.
- **The person may be apprehended and reasonable force may be used** (MH Act s. 149).